



Towing & Recovery Professionals of Connecticut

Written Testimony of
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Transportation Committee
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HB 6817, An Act Concerning the Quick Clearance of State Highways
SB 505, An Act Requiring Tow Truck Operators to Clean Road Debris Left After an Accident
SB 509, An Act Concerning Notices Required for Tow Zones

Good morning Senator Maynard, Representative Guerrero, Senator Boucher, Representative O'Dea and the distinguished members of the Transportation Committee. Thank you for the opportunity to provide you with testimony on **House Bill 6817, An Act Concerning the Quick Clearance of State Highways**. My name is Lee Telke and I am the Executive Director of the Towing & Recovery Professionals of Connecticut (TRPC). Tim Vibert is with me; he is the President of TRPC.

TRPC is composed of nearly 200 towing professionals who are licensed dealers and repairers. We are small business owners who are responsible for clearing accidents or disabled vehicles, and complete recovery operations so that our state's highways may be reopened in a timely fashion. Everyday in all types of weather towing professionals make our citizens safer by clearing accidents and disabled vehicles from our state's roadways. In addition, programs that permits and encourages quick clearance of accidents, opening our highways to commerce and preventing secondary accidents.

TRPC supports and thanks the Transportation Committee for raising House Bill 6817 to provide protection to all first responders as well as the tow company when they are directed by law enforcement to clear highway travel lanes by removing a wrecked vehicle, so the highway may be opened, in the most expedient manner. All states have laws, which indemnify first responders; we are asking to be included in that group when under the direction of law enforcement. This is a primary way to aid in alleviating traffic congestion due to an accident that has either closed or restricted travel on our highway system.

These laws, referred to as "Authority Removal" or "Hold Harmless" laws establish the authority of public agencies to immediately remove or cause to remove disabled/wrecked vehicles or split cargo blocking travel lanes by immediate means as well as indemnify the agencies from liability for any damage caused in the process of the removal. "Authority Tow" laws are similar in objective to "Authority Removal" laws; they seek to hold harmless towers when directed by law enforcement to remove the vehicles or cargo from the roadway.

Timely removal of vehicles from our roadways is an essential part of Traffic Incident Management (TIM) Quick Clearance and Recovery operations. The Federal Highway Administration (FHWA) working with the National Traffic Incident Management Coalition (NTIMC) played a key role in establishing the National Unified Goal (NUG) for Traffic Incident Management. The National Unified Goal has established three objectives: 1) responder safety; 2) safe and quick clearance; and 3) prompt reliable and interoperable communications. HB 6817 is an essential part of making this all work.

Governor Malloy said traffic congestion costs commuters an average of 42 hours in lost time annually, while costing the economy \$97 million a day. "Simply put, our investments have not kept pace with our needs, and our residents and businesses are paying the price," he said. "To be competitive regionally, nationally, and internationally, we need a transformation." Our Bill is an essential part of this initiative from the Governor.

Traffic incidents—which include anything that happens on a roadway that impacts traffic ranging from disabled vehicles to fender-benders to vehicle crashes—account for up to 25% of all congestion and 40% of nonrecurring congestion. Bottlenecks caused by “rubbernecking” alone can drop a highway’s capacity an additional 12.7%, even if a lane is not closed. Finally, reliability and safety problems on roadways are inextricably interlinked. Every minute an incident is not cleared endangers other motorists and responders through an increasing risk of secondary incidents, which further propagate traffic congestion. Faster incident clearance means safer roadways for motorists and incident responders who are in harm’s way while attending to an incident; it can also improve the reliability of our nation’s roadways by restoring travel lanes more quickly to pre-incident conditions.

TRPC would like to provide the following testimony on **SB 505, An Act Requiring Tow Truck Operators to Clean Road Debris Left After an Accident**. This is not necessary because it’s already covered by a July 5, 2012 Department of Motor Vehicles Law Enforcement Bulletin which states, “the site cleanup should be limited to the tower’s removal of the motor vehicle and the detached parts and debris from the motor vehicle. Towers are not authorized or required to do landscaping, excavation, masonry work or the like as part of the nonconsensual tow. The repair of the private property is to be left up to the property owner and the owner’s and vehicle operator’s insurance companies.”

TRPC offers the following testimony on **SB 509, An Act Concerning Notices Required for Town Zones**. Much of SB 509 is currently covered under existing Connecticut General Statute. Section 14-145 speaks about the removal of cars, by a tow service, at the direction of the property owner or manager. The tow company currently has to notify the law enforcement agency, in the town that the vehicle was towed from, within two hours of the tow. Public Act 14-130 went even further, it mandates that the law enforcement agency enter the vehicle information into the NCIC/COLLECT systems within 48 hours of receiving the notice from the tower. In regards to the posting portion of SB 509 TRPC supports this section. Most businesses that contract tow companies currently post their premises. We would suggest sign size and content be placed in regulation if this portion of the Bill is implemented, it should be the responsibility of the property owner to do this before they contract a towing company. TRPC would extend an offer to participate in this Bill drafting/contents, as we are more familiar with the issues than anyone in the state.

Thank you for this opportunity to testify. We would be glad to answer any questions.